

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASAALY MOALIN et al.,

Defendants.

Case No. 10CR4246-JM

**ORDER APPOINTING MAGISTRATE
JUDGE GALLO AS SPECIAL MASTER
FOR PURPOSES OF TAKING RULE 15
DEPOSITIONS**


On August 22, 2012, pursuant to Federal Rule of Criminal Procedure 15, the court denied the joint motion of Defendants Basaaly Moalin, Mohamed Mohamed Mohamud, Issa Doreh and Ahmed Nasir Taalil Mohamud (collectively "Defendants") for leave to take the depositions of eight foreign prospective defense witnesses in Somalia. (Ct. Dkt. No. 181). After several conferences between all parties and Magistrate Judge William V. Gallo, the parties jointly agreed to certain procedures for the Rule 15 depositions to proceed in Djibouti, Djibouti. (Ct. Dkt. Nos. 189, 195). This order appoints Judge Gallo as special master to oversee the depositions in Djibouti; authorizes Judge Gallo to exercise those duties specifically enumerated in Fed.R.Civ.P. 53(c), with respect to the Rule 15 depositions only; authorizes Judge Gallo to perform the duties consented to by the parties; and authorizes Judge Gallo to take all necessary measures to ensure that the deposition procedures in Djibouti, as to reliability and trustworthiness, are compatible with fundamental issues of fairness.

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1 Finally, the court instructs Judge Gallo to obtain from each Defendant a written waiver of their
2 right to be present at the depositions in Djibouti. See Fed.R.Crim.P. 15(c)(1)(A). The written waivers
3 must be filed no later than October 15, 2012.

4 **IT IS SO ORDERED.**

5 DATED: September 21, 2012


Hon. Jeffrey T. Miller
United States District Judge

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